

**OFFICIAL****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re: Application of:  
**Jorge L. Lombana**

Date: December 27, 2002

Art Unit: 1724

Serial No: 09/865,994

Examiner: **Smith, Duane S.**

Filed: 5/25/01

Atty. Dkt. No. 21068

Title: "SEPARATOR FOR FLUIDS AND SOLIDS"

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**RESPONSE****CERTIFICATION OF FACSIMILE TRANSMISSION**

I HEREBY CERTIFY that this paper is being facsimile transmitted to the U.S. Patent & Trademark Office on December 27, 2002. I have been warned that willful false statements and the like are punishable by fine or imprisonment, or both (18 U.S.C. 1001), and may jeopardize the validity of this application, document, registration or patent resulting therefrom.

Vicky Prendes, Patent Department

(Typed or printed name of the person signing the certificate)

  
(Signature of the person signing the certificate)

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TO: Patent and Trademark Office  
Attn: Examiner: Smith, Duane S. Art Unit: 1724  
Fax No. (703)305-7718

Papers included:

Amendment including Clean Version and Marked Version.

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Serial No. 09/865,994

Hon. Commissioner of Patents and Trademarks  
Attn. Examiner Duane S. Smith  
Art Unit: 1724  
Washington, D.C. 20231

Sir:

In response to the recent Office action, Applicant states:

The Examiner has rejected claims 1 through 6 under 35 U.S.C. 102(b), as being anticipated by Gilbert et al (US Patent No. 1,799,684). Applicant respectfully disagrees.

Gilbert's patent teaches away from the invention. The openings 32 are not located on the outermost wall of separator tube 31 (wound conduit assembly) but rather on the interior wall. Gilbert collects the liquid inside receptacle 6 and the gas goes through the interior openings 32. The centrifugal forces are no used to expel particles, liquid or solid. Liquid is forced through inlet 27 and gas goes through opening 32 which is the opposite.. This air compressor device can not be modified to accomplish the function of the claimed invention.

Applicant respectfully requests reconsideration of his claims based on the foregoing explanation.

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Applicant believes his application is now allowable and ready to be passed to publication and requests an early favorable action.

Respectfully submitted,

**SANCHELIMA AND ASSOC., P.A.**

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